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January 31, 2018

VIA ECF

Hon. Brian R. Martinotti  
United States District Judge  
United States District Court, DNJ  
Clarkson S. Fisher Building  
& U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Re: Fidelity Brokerage Services LLC v. Michael Giordano  
Civ. Action No. 18-897 (BRM)

Dear Judge Martinotti:

We represent the defendant, Michael Giordino. On January 23, 2018, the Court (Hon. Anne E. Thompson) entered an Order Granting Application for Temporary Restraining Order (the “TRO”). Among other things, the TRO provides that “The parties shall confer and advise the Court by January 31, 2018 of what further action they contemplate in this Court, if any, including the possibility of a hearing on a preliminary injunction.” TRO, para. 8.

Counsel for the parties have conferred and decided that no further proceedings are contemplated by either party in Court at this time. The parties are proceeding to an expedited arbitration hearing in FINRA, which we expect will take place in the next few weeks.

Respectfully submitted,

Louis M. Lagalante

LML/  
Cc: Susan M. Guerette, Esq.  
(by ECF)